REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Re-examination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

Interview Summary

In a personal interview between the Examiner: Katherine W Mitchell and the Applicant's representative: Keith J Townsend, held on Feb. 23, 2007, the operation of the Vernet device was discussed. The argument was advanced that in the case of hard materials the use of serrated profiles such as found in the Fisher reference, would not be of value in Vernet in that it may actually lead to reduced surface area in contact with the rear wall of the member through which the fastener was disposed and subsequently distorted to fit against. While the Examiner was later of the opinion that the Vernet device was not only for use with hard materials such as brick and that it could be used with softer materials such as suggested at column 2, line 28-35 of Vernet.

Interestingly enough, the Examiner herself provided an anecdote which suggests that there may be another reason not to provide serrations on fasteners which are adapted for use with softer materials such as sheet rock. As she explained, after inserting the fastener in a hole in a wall of her house, rotation to induce a tight fit actually caused the fastener to continue rotating whereby a sharp edge on the fastener not only dug into the wall but acted as a saw tooth, cut its way out back out the wall and created a new substantially larger diameter hole in the wall which is understood to be currently covered by a framed picture. It may therefore be suggested that the absence of serrations on the arrangement disclosed in Vernet may have merrit.

The Applicant's representative apologizes for not having made the argument clearer. The point was not necessarily that the serrations of Fisher would not be used just in the case of hard materials such as brick, but would be unnecessary/overkill irrespective of the hardness/softness of the wall material and would not add to the

fastening ability of the Vernet arrangement to a degree beyond that already provided by the basic Vernet arrangement.

This position would appear supported by the content of US-A- 4 617 692 mentioned at column 1, line 62 of Vernet. That is to say, both Vernet and the '692 reference show flat contact with the rear of the wall through which the fastener is disposed and also show projections which are configured to cut into the front of the wall in a manner to prevent rotation during the operation which buckles the portion located at the rear of the wall and induces the bulging effect that prevents the fastener being be pulled back out through the hole it was inserted into.

The question is not really if the serrations could be added, it is whether one would bother in light of what can be gleaned from Vernet.

Nevertheless, the Examiner is thanked for the cordiality of the interview and the professional manner with which her examinations are carried out.

Claim amendments

In this response, claim 1 has been amended via the inclusion of the subject matter of claim 2 and has been further amended to call for the main and second longitudinally slots to be non-equidistantly arranged about the periphery of the screw anchor. Independent claim 14 has been amended to call for the main longitudinal anchoring tongues to have widths which are wider than widths of the secondary longitudinal anchoring tongues. Claim 17, on the other hand, has been amended to recite that the main longitudinal slots and the secondary slots are non-uniformly spaced about a periphery of the screw anchor. Claims 14 and 17 have also been amended to remove the limitation relating to serration. The amendment to claim 17 is seen as improving the clarity of the claim in that the slots are not serrated per se.

All of the amendments are supported by at least the drawings. Fig. 4 of the instant application is such as to illustrate the fact that the slots are not equidistantly spaced about the periphery of the anchor and thus highlight the difference with respect

to the arrangement disclosed in at least Vernet.

Rejections under 35 USC § 103

1) The rejection of claims 1-2, 4, 6, 8-13 and 17 under 35 USC § 103(a) as being unpatentable over Vernet et al. in view of Fischer et al. is respectfully traversed.

In this response, independent claims 1, 14 and 17 have, as noted above, been amended to recite a structure which differentiates over the arrangement disclosed in Vernet. More specifically, the claims have been amended to distinguish over the arrangement of Vernet in that the slots 13 of Vernet are all equidistantly spaced as illustrated in the figures and disclosed at column 3, line 66 - column 4, line 2. That is to say, the independent claims have been amended to recite either the slots being non-uniformly spaced about the periphery of the fastener or the widths of the tongues being different. In Vernet, the widths of the tongues which are separated by the slots are uniform, as are the distances between the slots.

Thus, irrespective of what is disclosed in Fisher et al. the claimed subject matter would not be result.

The disclosure is such as to set forth the claimed subject matter exhibits advantages. More specifically, at page 7, lines 7-25 the instant specification sets forth that:

> The advantages of screw anchor 1 are as follows: secondary longitudinal tongues 10 greatly increase the deformability of screw anchor 1, while at the same time maintaining a strong central portion 2 which can therefore adapt to holes of irregular cross section or formed in walls of perforated material or material of poor consistency.
>
> With the above geometry, screw anchor 1 can be inserted easily inside the hole in the wall, regardless of the material the wall is made of, and at the same time is

anchored firmly to the wall. The above geometry, in fact, permits uniform radial extension of screw anchor 1, thus improving force distribution in the wall when anchoring the anchor.

Finally, mechanical laboratory tests have shown that screw anchor 1 as described enables the user to judge more accurately the tightening torque produced when screwing the screw inside the through hole in screw anchor 1 and head 4.

It is thus, submitted that the structure which is defined in the claims provides results which reflect an advance and utility in fastening technology.

2) The rejection of claims 14-16 and 18 under 35 USC § 103(a) as being unpatentable over Vernet et al. in view of Fischer et al. and Wieland, is traversed.

This traverse is based on the same reasons advanced above. The non-uniform spacing of the slots which is recited is neither disclosed nor suggested by any of the art which is applied in this rejection.

Conclusion

The claims which stand before the Patent Office are allowable over the art for at least the reasons advanced above. Favorable reconsideration and allowance of this application is therefore courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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